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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,104	01/27/2004	Woonza M. Rhee	2500-2287.05	2188

23980 7590 11/10/2005

REED INTELLECTUAL PROPERTY LAW GROUP
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PALO ALTO, CA 94304-1124

EXAMINER

FUBARA, BLESSING M

ART UNIT	PAPER NUMBER
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1618

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Examiner acknowledges receipt of IDS, power of attorney, assignment, amendment and remarks, all filed 08/22/05.

Double Patenting

Applicants' argument regarding US 5,580,923 is persuasive and the obviousness-type double patenting rejection over US 5,580,923 is withdrawn.

The submission of terminal disclaimers for US 5,752,974; US 6,166,130; US 6,312,725; US 6,495,127; US 6,833,408 and application number 10/766,095 overcomes the obviousness-type double patenting rejection.

Claim Rejections - 35 USC § 112

1. Claims 35-68 remain rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for treating or inhibiting the formation of adhesion following surgery, does not reasonably provide enablement for preventing the formation of adhesions following surgery. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to use the invention commensurate in scope with these claims.
2. Applicants' arguments filed 08/22/05 have been fully considered but they are not persuasive.

Applicants argument that paragraphs 0181 to 0184 describe in detail the use of the claimed composition for the prevention of adhesions is not persuasive because paragraphs 0183 and 0184 describe the preparation of cross-linked multi-amino PEG composition; paragraph

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0182 is the preamble to Example 1; paragraph 0181 does not exemplify how the adhesion is prevented.

Treating or inhibiting may be used in place of "preventing."

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4. Claims 22 and 56 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 22 and 56 are unclear because it is uncertain if these claims depend from claims 21 and 55 respectively.

The above concern was communicated to the attorney in a telephone interview on 11/07/05. Attorney would be open to making the necessary amendment after consultation with applicants.

Claims 1-21 and 23-34 would be allowable in light of the terminal disclaimer filed 08/22/05.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blessing M. Fubara whose telephone number is (571) 272-0594. The examiner can normally be reached on 7 a.m. to 3:30 p.m. (Monday to Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thurman K. Page can be reached on (571) 272-0602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Blessing Fubara
Patent Examiner
Tech. Center 1600

A handwritten signature in black ink, appearing to read "Blessing Fubara", is written over the printed name.